



Institution: University of Tennessee, Knoxville
Case Type: Season of Competition/Participation Waiver

Division: I
Alberto Osuna Sanchez

Case ID: 1238170
Date: 02/06/2025

Page 1 - General Information

General Information

Institution Information

Institution Information*	University of Tennessee, Knoxville
Division of Institution*	I
Conference*	Southeastern Conference
Phone Number*	865/974-1224
Academic year related to this request*	2024-25

Student-Athlete Information

Is this request for multiple student-athletes?	No
Sport(s)*	Baseball

Involved Student-Athletes/Prospective Student-Athletes

NCAA ID*	2104154159
First Name*	Alberto
Last Name*	Osuna Sanchez
Date of Birth*	01/12/2001
Gender*	Male

Other Involved Individuals

Person(s)*

Case Prioritization Information



Cases are prioritized based on next date of competition and requests for expedited review

Institution's Next Date of Competition for this Sport* 02/14/2025

Institution's Next Location of Competition for this Sport* Home

Does this case require expedited review?* Yes

Provide description of reason for expedited review request.* Upcoming competition.

Student-Athlete Enrollment Information

Date of Initial Collegiate Enrollment* 08/01/2019

Date of Initial Enrollment at Current Institution (if different)*

01/01/2025

Page 2 - Case Information

Case Information

Provide information pertinent to this case

Please check all the Season of Competition/Participation Waiver sub-case types and conditions that apply*

Competition/Participation While the Student-Athlete Was ELIGIBLE

Competition/Participation While the Student-Athlete Was ELIGIBLE Sub-Case Types
Other Extenuating Circumstances

Student-Athlete Information

All Requests

Was the student-athlete recruited?* Yes

When did recruitment begin?* 01/14/2025

Complete the student-athlete's full enrollment and participation/competition history

Term/ Year	School Name	Division	Full/ Part Time	Season Used?	Sport	Was student-athlete otherwise eligible to participate pursuant to NCAA, conference, and institutional rules and regulations?	Does the institution believe the student-athlete was deprived of a participation opportunity due to circumstances outside the control of the student-athlete and the institution?
F 2019	Walters State CC		F	N	Baseball	Y	N
S 2020	Walters State CC		F	N	Baseball	Y	N
F 2020	Walters State CC		F	N	Baseball	Y	N
S 2021	Walters State CC		F	Y	Baseball	Y	Y
F 2021	UNC Chapel Hill		F	N	Baseball	Y	N
S 2022	UNC Chapel Hill		F	Y	Baseball	Y	N
F 2022	UNC Chapel Hill		F	N	Baseball	Y	N
S 2023	UNC Chapel Hill		F	Y	Baseball	Y	N
F 2023	UNC Chapel Hill		F	N	Baseball	Y	N
S 2024	UNC Chapel Hill		F	Y	Baseball	Y	N
F 2024	University of Tampa		F	N	Baseball	Y	N
S 2025	University of Tennessee		F	N	Baseball	N	N

Case Information

All Requests

Provide the number of
contests/dates of competition
in the institution's season*

68

Provide the number of contests/dates of competition in which the student-athlete participated*

68

Calculate and provide the percentage of the season the student-athlete participated (the requirements specified in 2021-22 DI Manual Bylaw 12.8.4.2.6 shall apply to the percent calculation).*

Participation Record 2021 .pdf (Uploaded on 02/02/2025 by William Timpano)

Did the student-athlete's participation exceed the legislated limits of competition/participation associated with this request?*

Yes

Explain why the student-athlete participated beyond the legislated limits of competition/participation associated with this request*

Not applicable. SA was not aware of potential retention of eligibility during participation at two-year institution during the 2020-21 academic year as the waiver concerning non-NCAA participation was not announced until December 2024.

Describe the facts associated with this request*

2-4-4-4 Baseball student-athlete enrolled at two-year institution during the 2019-20 academic year. SA did not compete during the 2019-20 due to the COVID-19 pandemic, but received an extension-of-eligibility per the DI Committee on Student-Athlete Reinstatement Previously Approved Request List. During the subsequent 2020-21 academic year, SA competed and used a season of competition while enrolled at two-year institution. SA then transferred to DI four-year institution and competed in each of the 2021-22, 2022-23 and 2023-24 academic years. After graduating from DI four-year institution in May 2024, SA then transferred to DI II institution for the 2024-25 academic year to use his remaining eligibility via the 11th and 12th semester of participation available to him via the COVID extension of eligibility application for Division II. On December 23, 2024, the NCAA Division I Board of Directors granted a waiver to permit student-athletes who attended and competed at a non-NCAA school for one or more years to remain eligible and compete in 2025-26 if those student-athletes would have otherwise used their final season of competition during the 2024-25 academic year, and meet all other eligibility requirements (e.g., progress toward degree, five-year period of eligibility). However, because SA used his final season of competition during the 2023-24 academic year, he is not eligible to use the waiver, even though SA is otherwise eligible and is within his DI eligibility clock for the remainder of the 2024-25 academic year. After hearing of the waiver, SA entered the transfer portal on January 13, 2025 and then enrolled at applicant institution for the Spring 2025 term. SA is now seeking legislative relief to waive his season of competition during the 2020-21 season at a non-NCAA institution given the identical circumstances decided upon in the Pavia litigation.

What are any relevant mitigating circumstances that should be considered when reviewing the request?*

Circumstances of this request match the outcomes leading to the blanket waiver associated the Diego Pavia litigation and injunction. SA is otherwise eligible and is within his eligibility clock for the remainder of the 2024-25 academic year.

Provide cite(s) of applicable legislation or interpretation*

Type	Division	ID	Text
Bylaw	I	12.8	<u>Seasons of Competition: Five-Year Rule.</u>

Provide case numbers of any precedent relevant to this request

Have you previously contacted any NCAA staff regarding this request?*

No

Page 3 - Case Documentation

Case Documentation

Upload supporting case documentation

(Maximum individual file size is 10MB.) Upload each document individually.

Required Documentation

All Requests

Provide a document(s) showing the following: 1) In chronological order, a list of the contests/dates of competition in the institution's season 2) The schedule from the season showing in which contests/dates of competition the student-athlete participated and 3) Of the times the student-athlete competed, designate whether he or she was eligible or ineligible*

Participation Record 2021 .pdf (Uploaded on 02/02/2025 by William Timpano)

Provide a written statement from the student-athlete describing circumstances and facts surrounding this request*

Student-Athlete Statement.pdf (Uploaded on 02/03/2025 by William Timpano)

Recommended Documentation

All Requests

Provide a copy of the student-athlete's current official transcript and official transcripts from all previous institutions attended. Print-screen transcripts are not acceptable.

[UNC Chapel Hill - Official Transcript.pdf](#) (Uploaded on 02/02/2025 by William Timpano)

[Walters State CC - Official Transcript.pdf](#) (Uploaded on 02/02/2025 by William Timpano)

[University of Tampa - Official Transcript.pdf](#) (Uploaded on 02/02/2025 by William Timpano)

Provide a written statement(s) from any other individuals involved in the circumstances of this request

Provide any documentation not previously specified that substantiates any assertions made in this request

Page 4 - Signatures

Signatures

Upload and review any signature documents

Select Required Signatories

STOP! IF USING E-SIGN OPTION:

- The signatory email address (in the NCAA Directory) MUST match the email address in NCAA Business Applications (e.g., Single-Source Sign On).
- The signatory MUST have been granted access to Requests/Self-Reports Online by the on-campus Single-Source Sign On administrator in the NCAA Business Application Administrative tool.
- If the signatories do not meet these qualifications, select UPLOAD. Do NOT select e-sign unless the above criteria is met.

Institutional Authority Outside of Athletics Department*

Signatory

Approved by Matt Harris on 02/03/2025

Institutional Authority Inside of Athletics Department*

Signatory

Approved by Jonathan Bowling on 02/03/2025

Buckley Statement - Student-Athlete*

Signatory

[Buckley Statement - Case No. 1238170.pdf](#) (Uploaded on 02/03/2025 by William Timpano)

Download Unsigned Signature Documents

- [Institutional Authority Outside of Athletics Department](#)
- [Institutional Authority Inside of Athletics Department](#)
- [Conference Personnel](#)
- [Buckley Statement](#) A Buckley Statement form is required for submission for all cases involving a student-athlete or prospective student-athlete.
- A Third Party Buckley Statement must be completed in order for a third party individual (e.g., parent, attorney) to discuss a student-athlete's case with the NCAA staff. The Third Party Buckley Statement has been placed in the General Case Information section located on the Resources tab.

Page 5 - Case Contacts and Submission

Case Contacts and Submission

Select case contacts and submit your request

Select Contacts for this Case

Primary Contact William Timpano (timpano@utk.edu) Phone: 8659743822

Secondary Contact Jonathan Bowling (jbowl3@utk.edu) Phone: 865-974-9696

Additional Case Contacts

Additional contacts with a valid email address from the conference or member institution will receive selected e-mails related to the case.

Email Delivery	First Name	Last Name	Title	E-mail Address
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Terms and Conditions

Disclaimer Terms and Conditions

By submitting information related to this request, I affirm that I have read and understand the application of NCAA Bylaw 10.1 and the information provided is accurate and complete to the best of my knowledge.

Agreement by William Timpano on 02/02/2025

Activity After Case Submission

Responses to Requests for Additional Information

To whom this may concern,

My name is Alberto Osuna Sanchez, I am a current student athlete at the University of Tennessee. I am writing this letter to request my immediate eligibility for the 2025 Division I baseball season.

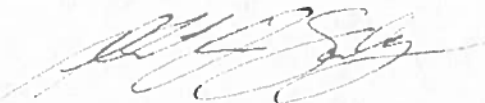
I enrolled at Walters State Community College in Fall 2019 and spent two seasons as a member of the baseball program. I did not play as a freshman due to the pandemic in spring 2020, but did compete in spring 2021 as a sophomore. The University of North Carolina began recruiting me during my sophomore year and offered me a scholarship. I spent the next three years at North Carolina and competed in each of those three seasons. After I graduated from UNC in May 2024 and exhausted my DI eligibility with a year still remaining on my clock, my coaches at UNC informed me that I could still be eligible this year at the Division II level. After I was given this information, I decided to enter the transfer portal. The University of Tampa began recruiting me, offered me a scholarship and I decided that is where I was initially planning to play this season.

While home on break this December, I saw the NCAA's announcement about a waiver for individuals who played at junior college. I immediately began contacting my coaches at the University of Tampa and UNC, and also reached out to my former teammates to see how this waiver applied to me and if I could be eligible to play in Division I again. From the beginning, I knew my circumstances were the same as Diego Pavia's and that I was deserving of additional eligibility, but no one was able to give me a clear answer, even after I called the NCAA public phone number on multiple occasions. They answered the phone twice but never gave me an answer to my questions, which created a lot of stress for my family and me.

After talking with friends, family and former coaches, I decided to enter the transfer portal to see if there was any opportunity to become eligible at the Division I level. After doing this and speaking to an attorney about my eligibility, I decided to transfer to the University of Tennessee to use my final year of eligibility. While I understand there is a risk of not being eligible, I am confident that my case has the same merits as Diego Pavia's, and I deserve the opportunity to compete this spring at the Division I level.

In conclusion, I am requesting to be eligible for the 2025 NCAA DI Baseball Season for the same reasons that lead to the decision in Diego Pavia Court Case and the NCAA Waiver that returned eligibility to people like me who competed at a junior college.

Thank you,



Alberto Osuna Sanchez